

REMARKS

This Application has been carefully reviewed in light of the Office Action dated November 3, 2004. In order to advance prosecution of the present Application, Claims 1, 2, 4, 6, 14, 15, 17, and 24 have been amended. Applicant respectfully requests reconsideration and favorable action in this Application.

Claims 1-26 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hewitt, et al. Independent Claims 1 and 14 recite in general the ability to provide a credit signal to a sender only when all of the buffers of a receiver have at least one slot available for storing a new message. By contrast, the Hewitt, et al. patent provides a "coupon" to the sender every time a buffer location becomes free. See col. 14, lines 12-14, of the Hewitt, et al. patent. Thus, the Hewitt, et al. patent does not provide a credit signal to a message sender only when all of the buffers have an available slot as required in the claimed invention. Therefore, Applicant respectfully submits that Claims 1-26 are not anticipated by the Hewitt, et al. patent.

CONCLUSION

Applicant has now made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

The Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read "Charles S. Fish", is written over the typed name.

Charles S. Fish

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